

MINUTES
FREEPORT TOWN COUNCIL MEETING #22-95
October 17, 1995 - 7:00 P.M.

CHAIRPERSON'S CALL TO ORDER:

Edward Campbell, Chairperson
Gay Drive

Present

X

Absent

Excused

Gloria DeGrandpre, Vice-Chairperson
Wolf Neck Road

X

Elizabeth Ruff
Durham Road

X

Randall Bennett
Park Street

X

Roger Wold
Staples Point Road

X

Kenneth Mann
Mann Road

X

Charlotte Bishop
Maquoit Drive

X

FIRST ORDER OF BUSINESS: To waive the reading of the minutes of Meeting #21-95 held on October 3, 1995 and accept the Minutes as printed.

MOVED AND SECONDED: To amend the minutes to denote that Councilor Wold was present. (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To waive the reading of the minutes of Meeting #21-95 held on October 3, 1995 and accept the Minutes as amended. (Councilors Wold & DeGrandpre) (7 Ayes) (0 Nays)

SECOND ORDER OF BUSINESS: Public Comment Period - 30 Minutes.
(There were no public comments.)

MOVED AND SECONDED: That the Public Comment Period be closed.
(Councilors Wold & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To take an item out of order, under Other Business, #1, Report on Teen Center Project. (Councilors DeGrandpre & Wold) (7 Ayes) (0 Nays)

1. Report on Teen Center Project.

Tom Nash thanked the Council for its generous support. He stated that Peter Capozza had been selected to oversee the project; he introduced Mr. Capozza and handed out a report on the project.

Peter Capozza provided an overview of the project, which included indoor basketball, soccer, baseball, skateboard, roller hockey, biking, and roller blading. A park was built, all of the equipment was donated and, basically, the kids designed and set up the

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park. He reviewed the attendance, the marketing used, community needs/participation and the positives/negatives. He showed the video done by Fox 51 about this project.

Chairperson Campbell thanked the committee for a wonderful job.

Councilor Ruff asked what plans there were for the coming year.

Mr. Nash stated that there is a need in Town; we need more dialogue.

ITEM #205-95 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LIQUOR LICENSE FOR J. SEAN RILEY, D/B/A FREEPORT CAFE (PUBLIC HEARING).

MOVED AND SECONDED: THAT THE FOLLOWING APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS AND VINOUS LICENSE BE SUBJECT TO PUBLIC HEARING.

J. SEAN RILEY, D/B/A FREEPORT CAFE, 335 U.S. ROUTE ONE SOUTH

(Councilors DeGrandpre & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE CLOSED.
(Councilors DeGrandpre & Ruff) (7 Ayes) (0 Nays)

BE IT ORDERED: THAT THE APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE ISSUED TO THE ABOVE NAMED APPLICANT BE APPROVED. ROLL CALL VOTE (Councilors DeGrandpre & Wold) (7 Ayes) (0 Nays)

ITEM #206-05 TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR VICTUALER LICENSES FOR RONALD BROOK, BARBARA MCGIVAREN, TIMOTHY BODGE, AND ERIC BRADEN (PUBLIC HEARING).

MOVED AND SECONDED: THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE. (Councilors Mann & Ruff) (7 Ayes) (0 Nays)

ROLL CALL OF MEMBERS:

ELIZABETH RUFF
RANDALL BENNETT
ROGER WOLD
CHARLOTTE BISHOP
DALE OLMSTEAD

GLORIA DEGRANDPRE
KENNETH MANN
EDWARD CAMPBELL
PAT GOODWIN

MOVED AND SECONDED: THAT THE FOLLOWING APPLICATIONS/RE-APPLICATIONS FOR VICTUALER'S LICENSES BE SUBJECT TO PUBLIC HEARING.

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RONALD BROOK, D/B/A CRICKETS RESTAURANT, 175 LOWER MAIN STREET.

BARBARA MCGIVAREN, D/B/A MAPLE HILL BED & BREAKFAST, 18 MAPLE AVENUE

TIMOTHY BODGE, D/B/A BODGE'S SUB-SHOP, 15 SOUTH STREET

ERIC BRADEN, D/B/A CHEZ FAX, 44 DURHAM ROAD.

(Councilors Mann & Ruff) (9 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE CLOSED.

(Councilors Mann & Ruff) (9 Ayes) (0 Nays)

BE IT ORDERED: THAT THE APPLICATIONS/RE-APPLICATIONS ISSUED TO THE ABOVE NAMED APPLICANTS BE APPROVED. ROLL CALL VOTE

(Councilors DeGrandpre & Wold) (9 Ayes) (0 Nays)

MOVED AND SECONDED: THAT THE LICENSING BOARD ADJOURN AND THE COUNCIL RECONVENE. (Councilors DeGrandpre & Ruff) (9 Ayes) (0 Nays)

ITEM #207-95 TO CONSIDER ACTION RELATIVE TO THE TRANSFER OF THE CABLE FRANCHISE AGREEMENT FROM UNITED VIDEO CABLEVISION TO FRONTIER VISION OPERATING PARTNERS (PUBLIC HEARING).

MOVED AND SECONDED: THAT THE PROPOSED TRANSFER OF THE CABLE FRANCHISE AGREEMENT BE SUBJECT TO PUBLIC HEARING.

(Councilors Wold & Bishop) (7 Ayes) (0 Nays)

Councilor Wold stated that the Council was required to either approve or oppose the transfer of ownership and the transfer of the franchise from United to Frontier Vision. They need to determine, in order to approve that transfer, that the new owners have the legal, financial and technical qualifications to carry on the franchise as the former owner has. He requested an explanation of the relationship between the various entities and how they relate to the Council's decision and the financial relationships between all of those (entities).

(At this time, a question and answer period followed with Jim Vaughn, President of Frontier Vision, Bob James of United Video, the consultant(s) and the Council.) Discussion followed re: financing, time constraints, transfer process, setting a special meeting, consultant bringing to the Council a resolution by November 14, 1995, etc.

MOVED AND SECONDED: THAT THE PUBLIC HEARING BE CLOSED.

(Councilors Mann & Ruff) (7 Ayes) (0 Nays)

MOVED AND SECONDED: That Item #207-95 be tabled indefinitely.

(Councilors Wold & Bishop) (7 Ayes) (0 Nays)

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MOVED AND SECONDED: To take an item out of order, #5 under Other Business. Discussion on Beckwith Zoning Request. (Councilors Ruff & DeGrandpre) (7 Ayes) (0 Nays)

Town Planner Cohen reviewed the reason(s) for the Beckwiths' request.

MOVED AND SECONDED: That the request of the Beckwiths be referred to the Planning Board for review; the Planning Board would then make a recommendation to the Council. (Councilors Ruff & DeGrandpre) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To take an item out of order, #2 under Other Business. Report from Freeport Housing Trust on Fee waiver. (Councilors DeGrandpre & Bennett) (7 Ayes) (0 Nays)

Jim Hatch, Freeport Housing Trust, provided an overview of the Summer Street Project and made the request to waive the building permit fee.

MOVED AND SECONDED: That the request of the Freeport Housing Trust, to waive the building permit fee, be granted. (Councilors Ruff & Wold) (7 Ayes) (0 Nays)

ITEM #208-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE CABLE T.V. REGULATORY BOARD.

BE IT ORDERED: THAT DAVID HURD BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE T.V. REGULATORY BOARD UNTIL OCTOBER 1, 1998. **BALLOT VOTE** (Councilors Bennett & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. HURD QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995. **ROLL CALL VOTE** (Councilors Wold & Bishop) (7 Ayes) (0 Nays)

ITEM #209-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE CABLE T.V. REGULATORY BOARD.

BE IT ORDERED: THAT RONALD GILLIS BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE T.V. REGULATORY BOARD UNTIL OCTOBER 1, 1998. **BALLOT VOTE** (Councilors Bishop & Ruff) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. GILLIS QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995 **ROLL CALL VOTE** (Councilors Bishop & Ruff) (7 Ayes) (0 Nays)

ITEM #210-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE CABLE T.V. REGULATORY BOARD.

**COUNCIL MEETING #22-95
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BE IT ORDERED: THAT STEPHEN MCPHETERS BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE T.V. REGULATORY BOARD UNTIL OCTOBER 1, 1998. BALLOT VOTE (Councilors Wold & Bishop) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. MCPHETERS QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995. ROLL CALL VOTE (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

ITEM #211-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT SANDY WILLIAMS BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1998. BALLOT VOTE (Councilors DeGrandpre & Wold) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. WILLIAMS QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995. ROLL CALL VOTE (Councilors DeGrandpre & Wold) (7 Ayes) (0 Nays)

ITEM #212-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT JAMES HENDRY BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1998. BALLOT VOTE (Councilors Ruff & Wold) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. HENDRY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995. ROLL CALL VOTE (Councilors Ruff & DeGrandpre) (7 Ayes) (0 Nays)

Councilor Bennett stated that it was a recommendation of the Appointments Committee to replace Mr. Blumenthal, as he was up to three terms.

Councilor Ruff stated that the Council has not followed its informal decision to change; she felt Mr. Blumenthal should be given consideration if he so desired.

Councilor Wold stated that he intended to put Mr. Blumenthal under Item #214-95.

ITEM #213-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE DESIGN REVIEW BOARD.

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BE IT ORDERED: THAT CUYLER FEAGLES BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1998. **BALLOT VOTE** (Councilors Bennett & Wold) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MR. FEAGLES QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995. **ROLL CALL VOTE** (Councilors Bennett & Ruff) (7 Ayes) (0 Nays)

ITEM #214-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT CARLA SKIFFINTON BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1998. (Councilors Bishop & Ruff)

MOVED AND SECONDED: To nominate Harry Blumenthal for reappointment to the Design Review Board. (Councilors Wold & Bishop)

BALLOT VOTE (5 Ayes for Mr. Blumenthal, 2 Ayes for Ms. Skiffinton)

BE IT FURTHER ORDERED: THAT MR. BLUMENTHAL QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995. **ROLL CALL VOTE** (Councilors Wold & Ruff) (7 Ayes) (0 Nays)

ITEM #215-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT ELIZABETH PATTEN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 1997. **BALLOT VOTE** (Councilors Mann & Ruff) (7 Ayes) (0 Nays)

BE IT FURTHER ORDERED: THAT MS. PATTEN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995. **ROLL CALL VOTE** (Councilors Mann & Ruff) (7 Ayes) (0 Nays)

ITEM #216-95 TO CONSIDER ACTION RELATIVE TO A MUNICIPAL/STATE AGREEMENT CONCERNING THE RECONSTRUCTION OF THE MAIN/WEST STREET INTERSECTION.

Manager Olmstead provided an overview of the reconstruction of the Main/West Street intersection project.

Discussion followed re: funding, Phase II for site improvement at the Public Safety location, cost of maintaining a new light, etc.

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BE IT ORDERED: THAT THE TOWN MANAGER BE AUTHORIZED TO SIGN A MUNICIPAL/STATE AGREEMENT CONCERNING THE RECONSTRUCTION OF THE MAIN/WEST STREET INTERSECTION. ROLL CALL VOTE (Councilors Mann & Ruff) (6 Ayes) (1 Nay - Mann)

ITEM #217-95 TO CONSIDER ACTION RELATIVE TO WAIVING COUNCIL RULES AND PROCEDURES CONCERNING THE COUNCIL MEETING SCHEDULE.

BE IT ORDERED: THAT THE COUNCIL RULES AND PROCEDURES BE WAIVED, AND THE FOLLOWING MEETING SCHEDULE BE ADOPTED FOR NOVEMBER AND DECEMBER, 1995:

NOVEMBER 14, 1995: COUNCIL ORGANIZATIONAL MEETING
WITH ELECTION OF OFFICERS
FOLLOWED BY RECEPTION FOR OUT
GOING COUNCILORS.

NOVEMBER 28, 1995: REGULAR COUNCIL MEETING

DECEMBER 5 & 19, 1995: REGULAR COUNCIL MEETINGS

DECEMBER 12, 1995: COUNCIL WORKSHOP

ROLL CALL VOTE (Councilors Wold & DeGrandpre) (7 Ayes) (0 Nays)

ITEM #218-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FEE SCHEDULE FOR WINSLOW PARK.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR NOVEMBER 28, 1995 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS THE PROPOSED FEE SCHEDULE FOR WINSLOW PARK.

BE IT FURTHER ORDERED: THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE B.H. BARTOL LIBRARY FOR INSPECTION BY CITIZENS. ROLL CALL VOTE (Councilors Ruff & DeGrandpre) (7 Ayes) (0 Nays)

ITEM #219-95 TO CONSIDER ACTION RELATIVE TO THE REPORT FROM THE DUNNING BOAT YARD STUDY COMMITTEE.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR NOVEMBER 28, 1995 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS THE REPORT OF THE DUNNING BOAT YARD STUDY COMMITTEE.

BE IT FURTHER ORDERED: THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE B.H. BARTOL LIBRARY FOR INSPECTION BY CITIZENS. ROLL CALL VOTE (Councilors Mann & Ruff) (7 Ayes) (Nays)

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ITEM #220-95 TO CONSIDER ACTION RELATIVE TO CONFIRMING A WARDEN AND ESTABLISHING POLL TIMES FOR THE NOVEMBER 7, 1995 ELECTION.

BE IT ORDERED: THAT THE TOWN CLERK'S APPOINTMENT OF EDWARD CAMPBELL AS ELECTION WARDEN BE CONFIRMED.

BE IT FURTHER ORDERED: THAT ELECTION POLLS OPEN AT 7:00 A.M. AND CLOSE AT 8:00 P.M. ROLL CALL VOTE (Councilors Ruff & DeGrandpre) (7 Ayes) (0 Nays)

ITEM #221-95 TO CONSIDER ACTION RELATIVE TO THE REALIGNMENT OF MORSE STREET.

Town Planner Cohen reviewed the plan by L. L. Bean for the realignment of Morse Street, included in their expansion proposal, and a request for a turning waiver.

Discussion followed re: cost of project being borne by the developer, easements, concern for school bus (potential) problems, greater stacking area, potential of ownership and maintenance being turned over to L. L. Bean, etc.

BE IT ORDERED: THAT THE REALIGNMENT OF MORSE STREET BE APPROVED IN ACCORDANCE WITH CONCEPTUAL SITE PLAN, LL BEAN DATED SEPTEMBER 18, 1995, SUBJECT TO PLANNING BOARD SITE PLAN APPROVAL.

MOVED: That Item #221-95 be amended to read, "that realignment of Morse Street be considered by the Planning Board similar to the conceptual plan". (Councilor Mann) (There was no second to the motion.)

ROLL CALL VOTE (Councilors Bennett & Bishop) (6 Ayes) (1 Nay - Mann)

ITEM #195-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CONCERNING RESTAURANT DRIVE-UPS. TABLED OCTOBER 3, 1995

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED.

MOVED & SECONDED: To amend Item #195-95 to 25 seats. (Councilors Mann & Bennett) (2 Ayes) (5 Nays - Wold, Bishop, Ruff, DeGrandpre, Campbell)

ROLL CALL VOTE (Councilors Bishop & Ruff) (6 Ayes) (1 Nay - Mann)

ITEM #196-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CONCERNING AMENDMENT PROCEDURES (SITE PLAN). TABLED OCTOBER 3, 1995.

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BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED.

Discussion followed re: the requirement of producing a site plan and posting a performance bond being joined, what is written clarifying the procedure, etc.

ROLL CALL VOTE (Councilors Mann & Bennett) (5 Ayes) (2 Nays - Wold, Mann)

ITEM #197-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING MAP CONCERNING REZONING FOUR (4) LOTS FROM VILLAGE I (V-I) TO VILLAGE COMMERCIAL I (VC-I). TABLED OCTOBER 3, 1995.

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING MAP, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED. ROLL CALL VOTE (Councilors Ruff & Bennett) (6 Ayes) (1 Excused - Wold)

ITEM #198-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE DESIGN REVIEW MAP. TABLED OCTOBER 3, 1995.

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE DESIGN REVIEW MAP, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED. ROLL CALL VOTE (Councilors Bennett & Bishop) (7 Ayes) (0 Nays)

OTHER BUSINESS:

Councilor Wold raised concern about an article from the Times Record re: executive sessions.

Councilor Mann stated that the reporter had never contacted him, and what had taken place during an executive session was not discussed (outside of the session).

3. REVIEW OF LEASING AGREEMENT PROPOSALS FOR THE B.H. BARTOL LIBRARY BUILDING.

Tony MacDonald of the Boulos Company, Henry Bird of the Bird Agency and Jack Riddle of Riddle Retail Associates, provided overviews of their respective proposals. A question and answer period followed.

MOVED AND SECONDED: To accept the proposal of Jack Riddle of Riddle Retail Associates as the leasing agent for the B. H. Bartol Library Building. (Councilors Wold & Ruff) (6 Ayes) (1 Nay - Mann)

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4. REPORT FROM THE COMMUNITY RELATIONS COMMITTEE ON AN ECONOMIC DEVELOPMENT STRATEGY.

Councilor Ruff reported on the Community Relations Committee on an economic development strategy, including retail trade dependency, should we be planning for some type of development to support the tax base, and what type of preparation should we be doing to assure continuation of our healthy economy and who should do this work.

Manager Olmstead reinforced the need for an economic strategy.

Discussion followed re: need for staff person to be assigned to this job, concern for losing businesses in Town, Planning Board's role, John Lupkin's input, etc.

MOVED AND SECONDED: That the Council support the plan proposed by Manager Olmstead to develop an economic development strategy to bring to the Council in the spring. (Councilors Ruff & Wold) (7 Ayes) (0 Nays)

MOVED AND SECONDED: To include the Planning Board in the plan. (Councilors Mann & Bishop) (7 Ayes) (0 Nays)

6. Space Needs Committee Report.

Councilor Ruff reported that after the study was completed, it was clear what was needed; the Casco Bay YMCA is a direct result from that study.

MOVED AND SECONDED: That the meeting be adjourned at 11:10 P.M. (Councilors Wold & Mann) (7 Ayes) (0 Nays)

Respectfully submitted,

Pat Goodwin, Recording Secretary

**AGENDA
COUNCIL MEETING #22-95
COUNCIL CHAMBERS
OCTOBER 17, 1995 - 7:00 P.M.**

SPECIAL NOTE: THIS AGENDA IS A WORKING AGENDA THAT INCLUDES BACKGROUND INFORMATION AND IS FOR DISTRIBUTION TO COUNCIL MEMBERS ONLY.

FROM:

DALE C. OLMSTEAD, JR.

TO:

**EDWARD CAMPBELL, CHAIRPERSON, GAY DRIVE
GLORIA DEGRANDPRE, VICE-CHAIRPERSON, WOLF NECK ROAD
ELIZABETH RUFF, DURHAM ROAD
RANDALL BENNETT, PARK STREET
ROGER WOLD, STAPLES POINT ROAD
KENNETH MANN, MANN ROAD
CHARLOTTE BISHOP, MAQUOIT DRIVE**

FIRST ORDER OF BUSINESS: TO WAIVE THE READING OF THE MINUTES OF MEETING #21-95, HELD ON OCTOBER 3, 1995 AND ACCEPT THE MINUTES AS PRINTED.

SECOND ORDER OF BUSINESS: PUBLIC COMMENT PERIOD - 30 MINUTES
(NON-AGENDA ITEMS ONLY)

THIRD ORDER OF BUSINESS: TO TAKE ACTION ON THE FOLLOWING ITEMS OF BUSINESS AS READ BY THE COUNCIL CHAIRPERSON.

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ITEM #205-95 TO CONSIDER ACTION RELATIVE TO AN APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LIQUOR LICENSE FOR J. SEAN RILEY, D/B/A FREEPORT CAFE (PUBLIC HEARING).

MOTION: THAT THE FOLLOWING APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS AND VINOUS LICENSE BE SUBJECT TO PUBLIC HEARING.

J. SEAN RILEY, D/B/A FREEPORT CAFE, 335 U.S. ROUTE ONE SOUTH

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE APPLICATION FOR A FULL-TIME MALT, SPIRITUOUS & VINOUS LICENSE ISSUED TO THE ABOVE NAMED APPLICANT BE APPROVED.

ITEM #206-05 TO CONSIDER ACTION RELATIVE TO APPLICATIONS/RE-APPLICATIONS FOR VICTUALER LICENSES FOR RONALD BROOK, BARBARA MCGIVAREN, TIMOTHY BODGE, AND ERIC BRADEN (PUBLIC HEARING).

MOTION: THAT THE COUNCIL ADJOURN AND THE LICENSING BOARD CONVENE.

ROLL CALL OF MEMBERS:

ELIZABETH RUFF
RANDALL BENNETT
ROGER WOLD
CHARLOTTE BISHOP
DALE OLMSTEAD

GLORIA DEGRANDPRE
KENNETH MANN
EDWARD CAMPBELL
PAT GOODWIN

MOTION: THAT THE FOLLOWING APPLICATIONS/RE-APPLICATIONS FOR VICTUALER'S LICENSES BE SUBJECT TO PUBLIC HEARING.

RONALD BROOK, D/B/A CRICKETS RESTAURANT, 175 LOWER MAIN STREET.

BARBARA MCGIVAREN, D/B/A MAPLE HILL BED & BREAKFAST, 18 MAPLE AVENUE

TIMOTHY BODGE, D/B/A BODGE'S SUB-SHOP, 15 SOUTH STREET

ERIC BRADEN, D/B/A CHEZ FAX, 44 DURHAM ROAD.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE APPLICATIONS/RE-APPLICATIONS ISSUED TO THE ABOVE NAMED APPLICANTS BE APPROVED.

MOTION: THAT THE LICENSING BOARD ADJOURN AND THE COUNCIL RECONVENE.

ITEM #207-95 TO CONSIDER ACTION RELATIVE TO THE TRANSFER OF THE CABLE FRANCHISE AGREEMENT FROM UNITED VIDEO CABLEVISION TO FRONTIER VISION OPERATING PARTNERS (PUBLIC HEARING).

MOTION: THAT THE PROPOSED TRANSFER OF THE CABLE FRANCHISE AGREEMENT BE SUBJECT TO PUBLIC HEARING.

MOTION: THAT THE PUBLIC HEARING BE CLOSED.

BE IT ORDERED: THAT THE TRANSFER OF THE CABLE FRANCHISE AGREEMENT BE APPROVED.

ITEM #208-95 TO CONSIDER ACTION RELATIVE TO A RE-APPOINTMENT TO THE CABLE T.V. REGULATORY BOARD.

BE IT ORDERED: THAT DAVID HURD BE RE-APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE CABLE T.V. REGULATORY BOARD UNTIL OCTOBER 1, 1998.

BE IT FURTHER ORDERED: THAT MR. HURD QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995.

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BE IT FURTHER ORDERED: THAT MR. HENDRY QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995.

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BE IT ORDERED: THAT CUYLER FEAGLES BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1998.

BE IT FURTHER ORDERED: THAT MR. FEAGLES QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995.

ITEM #214-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE DESIGN REVIEW BOARD.

BE IT ORDERED: THAT CARLA SKIFFINTON BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE DESIGN REVIEW BOARD UNTIL OCTOBER 1, 1998.

**COUNCIL MEETING #22-95
OCTOBER 17, 1995**

BE IT FURTHER ORDERED: THAT MS. SKIFFINTON QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995.

ITEM #215-95 TO CONSIDER ACTION RELATIVE TO AN APPOINTMENT TO THE SOLID WASTE/RECYCLING COMMITTEE.

BE IT ORDERED: THAT ELIZABETH PATTEN BE APPOINTED, EFFECTIVE IMMEDIATELY, TO SERVE AS A MEMBER OF THE SOLID WASTE/RECYCLING COMMITTEE UNTIL JANUARY 1, 1997.

BE IT FURTHER ORDERED: THAT MS. PATTEN QUALIFY BY SWEARING AN OATH OF OFFICE BEFORE THE TOWN CLERK BY OCTOBER 27, 1995.

ITEM #216-95 TO CONSIDER ACTION RELATIVE TO A MUNICIPAL/STATE AGREEMENT CONCERNING THE RECONSTRUCTION OF THE MAIN/WEST STREET INTERSECTION.

BE IT ORDERED: THAT THE TOWN MANAGER BE AUTHORIZED TO SIGN A MUNICIPAL/STATE AGREEMENT CONCERNING THE RECONSTRUCTION OF THE MAIN/WEST STREET INTERSECTION.

ITEM #217-95 TO CONSIDER ACTION RELATIVE TO WAIVING COUNCIL RULES AND PROCEDURES CONCERNING THE COUNCIL MEETING SCHEDULE.

BE IT ORDERED: THAT THE COUNCIL RULES AND PROCEDURES BE WAIVED, AND THE FOLLOWING MEETING SCHEDULE BE ADOPTED FOR NOVEMBER AND DECEMBER, 1995:

NOVEMBER 14, 1995:	COUNCIL ORGANIZATIONAL MEETING WITH ELECTION OF OFFICERS FOLLOWED BY RECEPTION FOR OUT GOING COUNCILORS.
NOVEMBER 28, 1995:	REGULAR COUNCIL MEETING
DECEMBER 5 & 19, 1995:	REGULAR COUNCIL MEETINGS
DECEMBER 12, 1995:	COUNCIL WORKSHOP

COUNCIL MEETING #22-95
OCTOBER 17, 1995

ITEM #218-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE FEE SCHEDULE FOR WINSLOW PARK.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR NOVEMBER 28, 1995 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS THE PROPOSED FEE SCHEDULE FOR WINSLOW PARK.

BE IT FURTHER ORDERED: THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE B.H. BARTOL LIBRARY FOR INSPECTION BY CITIZENS.

ITEM #219-95 TO CONSIDER ACTION RELATIVE TO THE REPORT FROM THE DUNNING BOAT YARD STUDY COMMITTEE.

BE IT ORDERED: THAT A PUBLIC HEARING BE SCHEDULED FOR NOVEMBER 28, 1995 AT 7:00 P.M. IN THE TOWN HALL COUNCIL CHAMBERS TO DISCUSS THE REPORT OF THE DUNNING BOAT YARD STUDY COMMITTEE,

BE IT FURTHER ORDERED: THAT 30 COPIES BE MADE AND DISTRIBUTED EQUALLY BETWEEN THE TOWN CLERK'S OFFICE AND THE B.H. BARTOL LIBRARY FOR INSPECTION BY CITIZENS.

ITEM #220-95 TO CONSIDER ACTION RELATIVE TO CONFIRMING A WARDEN AND ESTABLISHING POLL TIMES FOR THE NOVEMBER 7, 1995 ELECTION.

BE IT ORDERED: THAT THE TOWN CLERK'S APPOINTMENT OF EDWARD CAMPBELL AS ELECTION WARDEN BE CONFIRMED.

BE IT FURTHER ORDERED: THAT ELECTION POLLS OPEN AT 7:00 A.M. AND CLOSE AT 8:00 P.M.

ITEM #221-95 TO CONSIDER ACTION RELATIVE TO THE REALIGNMENT OF MORSE STREET.

BE IT ORDERED: THAT THE REALIGNMENT OF MORSE STREET BE APPROVED IN ACCORDANCE WITH CONCEPTUAL SITE PLAN, LL BEAN DATED SEPTEMBER 18, 1995, SUBJECT TO PLANNING BOARD SITE PLAN APPROVAL.

**COUNCIL MEETING #22-95
OCTOBER 17, 1995**

ITEM #195-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CONCERNING RESTAURANT DRIVE-UPS. TABLED OCTOBER 3, 1995

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED.

ITEM #196-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING ORDINANCE CONCERNING AMENDMENT PROCEDURES (SITE PLAN). TABLED OCTOBER 3, 1995.

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING ORDINANCE, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED.

ITEM #197-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE ZONING MAP CONCERNING REZONING FOUR (4) LOTS FROM VILLAGE I (V-I) TO VILLAGE COMMERCIAL I (VC-I). TABLED OCTOBER 3, 1995.

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE ZONING MAP, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED.

ITEM #198-95 TO CONSIDER ACTION RELATIVE TO PROPOSED AMENDMENTS TO THE DESIGN REVIEW MAP. TABLED OCTOBER 3, 1995.

BE IT ORDERED: THAT THE PROPOSED AMENDMENTS TO THE DESIGN REVIEW MAP, AS SUBMITTED TO PUBLIC HEARING ON OCTOBER 3, 1995, BE APPROVED.

OTHER BUSINESS:

- 1. REPORT ON TEEN CENTER PROJECT.**
- 2. REPORT FROM FREEPORT HOUSING TRUST ON FEE WAIVER.**
- 3. REVIEW OF LEASING AGREEMENT PROPOSALS FOR THE B.H. BARTOL LIBRARY BUILDING.**
- 4. REPORT FROM THE COMMUNITY RELATIONS COMMITTEE ON AN ECONOMIC DEVELOPMENT STRATEGY.**